IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE ELIPE DHARMA RAO**

WRIT PETITION NO.13357 of 2005

Between:

Geetha W/o Srinivas, 38 years, represented by GPA Holder
Smt. Jaya Laxmi, W/o Saranapani, 61 years, R/o 8-2-408,

Road No.6, Banjara Hills, Hyderabad.

**...PETITIONER**

AND

1. The Collector, Ranga Reddy District, at Lakdikapool, Hyderabad.
2. The Revenue Divisional Officer, West, Chevella, Attapur, Ranga Reddy District.
3. The Mandal Revenue Officer, Balanagar Mandal, Kukatpally Housing Board, Ranga Reddy District.

**...RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to pass an order or orders one in the nature of writ of Mandamus by declaring the inaction of the respondent Nos.2 and 3 for not delivering the possession by evicting the land Grabbers in respect of property in plot No. 214 in Survey Nos.26 and 29 admeasuring 200 Square yards situated Allapur Village, Balanagar Mandal, Ranga Reddy District and further not complying the Rules 15 (1) to (10) of the A.P.Land Grabbing Prohibition Rule 1988 in view to the petitioner herein in view of the specific order and decree passed in I.A.No.2023/2003 in I.A.S.R.No.4836/2003 in LGOP. 206/2002 on the file of the Principal District Judge, Ranga Reddy District dated 09.01.2004 and also the decree in LGOP.No.206 of 2002 on the file of District Judge, Ranga Reddy District and declare the same as totally illegal, arbitrary and

against the principles of natural justice.

**Counsel for the Petitioner: MR.SURESH SHIV SAGAR**

**Counsel for the Respondents: GP FOR REVENUE**

The Court at the admission stage made the following:

**THE HON'BLE MR JUSTICE ELIPE DHARMA RAO**

WRIT PETITION NO.13357 of 2005

**ORDER:**

This Writ Petition is filed by the petitioner seeking declaration of the inaction of respondent Nos.2 and 3 for not delivering the possession by evicting the land grabbers in respect of property in plot No.214 in Survey Nos.26 and 29 admeasuring 200 square yards situated in Allapur Village, Balanagar Mandal, Ranga Reddy District and for not complying the Rule 15 (1) to (10) of the A.P.Land Grabbing Prohibition Rules, 1988 ('the Rules' for brevity) in view of the specific order and decree dated 09.01.2004 passed in I.A.No.2023 of 2003 in I.A.S.R.No.4836 of 2003 in L.G.O.P.No.206 of 2002 on the file of the Principal District Judge, Ranga Reddy District, as illegal and arbitrary.

The facts are not in dispute that when the petitioner approached the Land Grabbing Tribunal, it is the allegation that the respondents have grabbed the land of the

petitioner. Considering the facts and circumstances of the case, the land Grabbing Tribunal passed order and decree dated 09.01.2004 in I.A.No.2023 of 2003 in I.A.S.R.No.4836 of 2003 in L.G.O.P.No.206 of 2002 on the file of the Principal District Judge, Ranga Reddy District. Thereafter, he filed a petition under Rule 15 (1) to (10) of the Rules asking the authorities to evict the land grabbers and deliver the possession of the suit schedule property.

When the Writ Petition came up for admission, the learned Government Pleader, on the basis of the written instructions received from the Deputy Collector and the Mandal Revenue Officer, Balanagar Mandal, submitted that the Revenue Divisional Officer through memo dated 29.09.2004 issued Form – V requesting the Mandal Revenue Officer, Balanagar to hand over the physical possession of the suit schedule land as per the judgment of the Land Grabbing Tribunal to the petitioner. Accordingly, they have gone to the site for verification and came to know that there are structures existing in the suit schedule land. Therefore, to remove the structures and take over the possession of the land and deliver to the petitioner, certain man power, material and police protection is required. Therefore, the Revenue Divisional Officer is once again requested to provide the man power, material and police protection to remove the structures and hand over the possession of the suit schedule land to the petitioner. They have also mentioned that the applicant has not turned up or pursued the matter for taking over the possession.

Considering the facts and circumstances of the case, I deem it appropriate to dispose of the Writ Petition at the admission stage.

The Writ Petition is disposed of. It is submitted that the respondents have already taken steps to remove the structures and hand over the possession of the suit schedule land as per the judgment of the Land Grabbing Tribunal. But nothing was mentioned about what are the steps taken from 29.09.2004 to till date. Therefore, the respondents are given eight weeks time to take steps to evict the land grabbers and deliver the physical possession of the land to the petitioner. No costs.

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**(ELIPE DHARMA RAO, J)**

23rd June 2005

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Collector, Ranga Reddy District, at Lakdikapool, Hyderabad.
2. The Revenue Divisional Officer, West, Chevella, Attapur, Ranga Reddy District.
3. The Mandal Revenue Officer, Balanagar Mandal, Kukatpally Housing Board, Ranga Reddy District.
4. Two CCs to GP for Revenue, High Court Buildings, Hyderabad (OUT).
5. Two CD copies.